

## U.S. DEPARTMENT OF COMMERCE

### MEMBERSHIP BALANCE PLAN COMMERCE SPECTRUM MANAGEMENT ADVISORY COMMITTEE

#### (1) Federal Advisory Committee Name

Commerce Spectrum Management Advisory Committee (“Committee” or “CSMAC”).

#### (2) Authority

The Secretary of Commerce established this Committee pursuant to the President’s Memorandum on Improving Spectrum Management for the 21st Century, dated November 29, 2004, under the authority of the National Telecommunications and Information Administration Organization Act, 47 U.S.C. § 904(b), and in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.

#### (3) Mission/Function

The Committee provides advice and recommendations on a broad range of issues regarding spectrum policy to the Assistant Secretary of Commerce for Communications and Information. The Assistant Secretary is also the Administrator of the National Telecommunications and Information Administration (NTIA). The Committee serves to facilitate increased understanding among all spectrum users about their respective interests. The Committee will provide advice to the Assistant Secretary to assist in developing and maintaining spectrum management policies that enable the United States to maintain or strengthen its global leadership role in the introduction of communications technology and services and innovation, thus expanding the economy, adding jobs, and increasing international trade, while at the same time providing for the expansion of existing technologies and supporting the country’s homeland security, national defense, and other critical needs to support government missions.

The Committee will continue to focus on advising the Assistant Secretary on the execution of the initiatives set forth in President Obama’s Memorandum: *Unleashing the Wireless Broadband Revolution*.<sup>1</sup> In addition, the Committee may also provide advice and recommendations on needed reforms to domestic spectrum policies and management in order to: (1) authorize radio systems and frequencies in a way that maximizes their public benefits; (2) keep wireless technologies and networks as open to innovation as possible; and (3) make wireless services available to all Americans.

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<sup>1</sup> Memorandum for the Heads of Executive Departments and Agencies, *Unleashing the Wireless Broadband Revolution*, released June 28, 2010, 75 Fed. Reg. 38387 (July 1, 2010), available at <http://www.whitehouse.gov/the-press-office/presidential-memorandum-unleashing-wireless-broadband-revolution>.

The Committee may also provide advice and recommendations on needed reforms to domestic spectrum policies and management in order to 1) license radio frequencies in a way that maximizes their public benefits; 2) keep wireless networks as open to innovation as possible; and 3) make wireless services available to all Americans.

The Committee's scope of activities may include, but is not limited to: expediting the introduction of wireless broadband services, especially in rural areas; addressing governmental and commercial concerns regarding public safety spectrum management issues; assisting in efforts to encourage the establishment of long-range spectrum planning processes; identifying international opportunities to advance U.S. economic interests; gathering input on the latest technology and market trends; examining the latest radio-frequency research and development outputs; exploring ways to foster more efficient and more imaginative uses of electronic spectrum resources; and promoting the interoperability and transparency of Federal and non-Federal spectrum databases.

#### **(4) Points of View**

Under the Committee's charter, the CSMAC may have no fewer than five (5) members and no more than thirty (30) members. Membership balance is not static and may change, depending on the work of the Committee.

NTIA will conduct a review of applicants and make recommendations to the Secretary for appointments. NTIA will consider a number of factors to determine each applicant's expertise in radio spectrum policy, including:

- (a) Educational background (*e.g.*, advance degree such as in engineering, economics, law, or public policy);
- (b) Professional experience and accomplishments (*e.g.*, nature of work, projects, or publications); and
- (c) Current employment and membership in associations (*e.g.*, technology developers and manufacturers; academia; civil society; and service providers with customers in both domestic and international markets).

All appointments are made without discrimination on the basis of age, ethnicity, gender, sexual orientation, disability, or cultural, religious, or socioeconomic status. As noted in the Charter, no member of the Committee or subgroup shall be a federally registered lobbyist.

The Department of Commerce determined that members will be selected to serve on the Committee based upon their expertise in radio spectrum policy. Each member will not represent any organization or interest. Therefore, the Secretary will appoint members to serve as Special Government Employees.

#### **(5) Other Balance Factors**

None.

#### **(6) Candidate Identification Process**

NTIA, through the Designated Federal Official (DFO), will solicit nominations through the issuance of a notice in the Federal Register. During the pendency of the application period, as listed in the Federal Register notice, NTIA will conduct additional outreach through its web site, public events, and meetings with individuals and groups in relevant industry sectors, academia, and civil society organizations to encourage additional nominees.

Upon receipt of applications, the DFO will develop a candidate list that will be evaluated by NTIA staff, including, but not limited to, the Associate Administrators of the Office of Spectrum Management. The list will then be presented to the Assistant Secretary of Commerce for review and identification of candidates to be recommended to the Secretary for appointment. The Secretary will appoint members and issue appointment letters following established Department of Commerce review, vetting, and appointment procedures.

Members will be appointed up to a two-year term and may be reappointed for additional terms. If any vacancies occur during the life of the Committee, NTIA will notify the Committee Management Officer. Depending on the needs of the agency, NTIA will recommend that the Secretary fill vacancies and will strive to do so no later than six (6) months after the position is vacated. When filling vacancies, the DFO may recommend any of the following:

- (a) a new solicitation for new nominations published in the Federal Register in accordance with regular procedures; or
- (b) selection of a replacement from an existing list of candidates with nominations received within the previous one year.

#### **(7) Subcommittee Balance**

Not applicable. (NTIA does not expect to have subcommittees that are subject to FACA.)

#### **(8) Other**

Not applicable.

#### **(9) Date Prepared/Updated**

January 2, 2015.